

# LAWS

## for Youth



Illinois General Assembly

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# Introduction

This booklet tells about major laws that affect Illinois' young residents. These laws are divided by subject under "Contents" and arranged in a question-and-answer format to make them easy to find.

These laws were chosen because they affect young people more than adults. But most other laws apply to young people too. Although there are some different procedures for enforcing laws for persons under 17 (or in some cases 18 or 21), laws generally apply to everyone regardless of age.

The law exists to protect everyone. We all need to know what it says so we can act as responsible members of society. If you need more information on laws, see the suggestions under "For More Information" on page 28.

Patrick D. O'Grady  
Executive Director

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# BICYCLING

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## ***What are the laws about bicycling?***

Among the most important is that a bicycle rider is treated as driving a vehicle, not as a pedestrian.<sup>1</sup> Thus on a bicycle you must ride on the **RIGHT** side of any two-way street or road.<sup>2</sup> Riding on the left is not only illegal, but also dangerous.

### ***Why?***

If you ride on the left side, you are riding toward the cars in your lane. Drivers have much less time to see you, and any crash will be much harder. To see why, suppose you are riding at 15 miles per hour in the right lane and a car is coming up behind you at 25 m.p.h., a common speed on city streets. The car is going only 10 m.p.h. faster than you, and the driver will have several seconds to see and avoid hitting you. But if you rode on the left side, at those speeds the car would be approaching you at **40 m.p.h.**—four times as fast. The driver might have only a fraction of a second to see you if other cars blocked the view, and any crash probably would kill you or leave you seriously injured.

### ***What else?***

The law requires bicyclists, like drivers, to stop at red lights<sup>3</sup> and give signals before turning.<sup>4</sup> Giving a signal is especially important before changing lanes. A car may be just behind you in the other lane and about to move forward just as you move over.

It is illegal to carry on a bicycle more people than it was designed to carry (except for adults using child packs).<sup>5</sup> It is also illegal to carry anything that prevents you from being able to use both hands to control the bicycle.<sup>6</sup>



### ***How about night riding?***

If you do ride at night, the law requires your bicycle to have a headlight on the front and at least a reflector on the back. A red lamp may be used on the back in addition to the reflector.<sup>7</sup>

But it is much harder for drivers to see your bicycle at night than it is for you to see their cars. Car windows reduce visibility, and the glare of headlights and brake lights make bicycle lights and reflectors hard to see. Some cars have tinted windshields, further blocking drivers' night vision. And even if drivers do see you, it is hard for them to judge how far away you are. Thus riding a bicycle at night is dangerous.

### ***Can I ride on the sidewalk?***

There is no statewide law against riding on sidewalks. However, it is banned by local ordinance in some places—including Chicago's business district and, for persons 12 or older, everywhere in Chicago not marked as a bike route.<sup>8</sup> Remember that sidewalks are primarily for pedestrians. But if riding on them is legal where you are, and they are not crowded, they are a safer place to ride at night than the street. Even on a sidewalk, you must have a light and reflector if you ride at night. The light is important so pedestrians can see you coming. Also, day or night, the law requires you to yield the right of way to pedestrians and give them a warning sound (such as a bell) before passing.<sup>9</sup> But a loud warning could make a pedestrian jump into your path, so it's best to slow down, give a repeated gentle warning sound, and pass as far to the side of the pedestrian as possible.

You may have seen a booklet called "Bicycle Rules of the Road" listing other laws and suggestions for safe bike riding. Copies are available at libraries, schools, fairs, and other public places, or can be obtained directly from the Secretary of State's office.<sup>10</sup> Everyone should read it before riding on the streets.

Parents should know that it is against the law for them to authorize, or knowingly permit, their children to violate the laws on bicycling.<sup>11</sup>

Finally, although Illinois law does not require it, you should always use a helmet when bicycling. Remember: Smart riders wear helmets, and helmet riders stay smart!

## HITCHHIKING

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### ***Is hitchhiking legal?***

Illinois law prohibits hitchhiking on controlled-access highways such as Interstate and toll highways.<sup>12</sup> The law also prohibits standing on the *pavement of any* street, road, or highway to hitch rides, since you could be hit or cause a driver to swerve to avoid you.<sup>13</sup>

More important, some drivers consider hitchhikers fair game for robbery, sexual attack, or murder. They may even disable the inside handle on the passenger's door so a victim can't jump out.

Some drivers also carry knives or guns, making escape impossible. Every year, after grim searches, police find the bodies of some Illinois young people who took rides with strangers. Don't let yourself become one of them.

While on the subject of hitchhiking: If you're driving, the best advice about hitchhikers is not to pick them up unless you actually know them. Hitchhikers can be dangerous to drivers, as well as the other way around.

## DRIVING

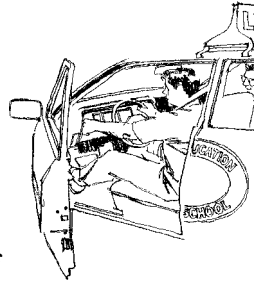
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### ***How soon can I drive?***

You can apply for a regular adult driver's license at age 18.<sup>14</sup> More limited licensing is allowed earlier. A licensing system called "Graduated Licensing" took effect in 1998.<sup>15</sup> It has stages that new drivers must pass to receive licenses. The first stage is getting an instruction permit after turning 15. The second is getting an initial driver's license after turning 16. The last stage is getting a full license at age 18.

### ***What is an instruction permit?***

A permit lets you drive a car while a licensed driver sits beside you. You can get an instruction permit if you are at least 15; have the consent of at least one parent; are taking an approved driver education course; and have passed vision and knowledge tests.<sup>16</sup> The permit allows you to drive only if



accompanied by your instructor, or accompanied on a front seat by a parent or other adult with responsibility for you who is licensed, has at least 1 year's driving experience, and is at least 21.<sup>17</sup> An instruction permit may also be issued to a person who is at least 15½ and enrolled in school, but not yet in a driver's education course, and meets education requirements including passing exams required by the Secretary of State; or to a person who is 17¾ but has not taken an approved driver education course.<sup>18</sup>

You apply for an instruction permit at the local driver licensing station (listed in the phone directory under "Illinois," subheading "Secretary of State"). The station, or a driver education teacher, should have copies of "Illinois Rules of the Road," a booklet on the laws applying to driving and parking cars.

Anyone who is found guilty, in either juvenile or adult court, of any of a long list of crimes involving motor vehicles, which include "joyriding" and unauthorized possession of a vehicle or its parts, cannot get a driver's license until at least 18.<sup>19</sup>

### ***How do I get a license at 16?***

If you have the consent of one parent and at least 25 hours of driving practice; have had a valid instruction permit for at least 3 months; and have passed an approved driver education course, you may get a "limited" driver's license as early as age 16.<sup>20</sup>

While you are driving with such a license, all passengers under age 18 must wear seat belts.<sup>21</sup> The car may have no more than one passenger in the front seat, and no more than the number for which there are seat belts in the back seat.<sup>22</sup>



## GENERAL CRIMINAL LAW

### ***Do adult criminal laws apply to me?***

Yes. The same acts are illegal if done by a minor as if they were done by an adult, although the method of imposing punishment may be slightly different. Most criminal acts by persons under 17 are prosecuted in juvenile court<sup>23</sup> as described under the next few questions. But a person under 17 can be tried in an adult criminal court in these kinds of situations:



- (1) The crime charged is a traffic, boating, fish and game, or municipal or county ordinance violation.<sup>24</sup>
- (2) The person was at least 13 and is charged with first-degree murder committed in the course of (a) aggravated criminal sexual assault, (b) criminal sexual assault, or (c) aggravated kidnapping.<sup>25</sup>
- (3) The person was at least 15 and is charged with (a) first-degree murder; (b) aggravated criminal sexual assault; (c) aggravated battery with a firearm at a school (including a college), on or within 1,000 feet of its grounds, on a school bus, or at a school-related activity; (d) armed robbery with a firearm; (e) aggravated vehicular hijacking with a firearm; (f) possession on school grounds of a dangerous weapon (including sprays for personal defense if carried by a person under 18); or (g) delivering, or possessing with intent to deliver, an illegal drug on school or public housing grounds, on a street within 1,000 feet of them, or on any school bus.<sup>26</sup>
- (4) The person is charged with a felony and escapes from a penal institution or from custody, or violates a bail bond by willfully failing to surrender at the appropriate time after having posted bail.<sup>27</sup>

There is also a hybrid kind of trial called an “extended jurisdiction juvenile prosecution.” It is to be used if a minor was at least 13 at the time of an alleged offense and is charged with a felony, and the judge finds probable cause to believe that the allegations

are true. (Or the judge may instead decide to keep the case in juvenile court, based on clear and convincing evidence that criminal prosecution would not be appropriate.) Proceedings in an extended jurisdiction juvenile prosecution are similar to those of an adult criminal trial, including the right to a jury, but with less restrictive rules of evidence.<sup>28</sup>

### ***What is the juvenile court?***

It is a part of the trial court that deals with persons under 17 who are charged with a crime; persons under 18 who are alleged to be abused or neglected; and persons under 21 who are alleged to be addicts. In some situations the juvenile court can continue control over minors up to age 21.

### ***What happens if I have to go to juvenile court?***

A 1998 law<sup>29</sup> toughened the treatment of minors accused of committing crimes (those charged with being “delinquent minors”). If you must go to juvenile court for that reason (rather than another reason mentioned in the last paragraph above), it is a serious event that can affect you for years to come. Your parent(s) should go with you. The law allows you to be represented by a lawyer at such a hearing. If your parent(s) cannot pay for a lawyer, the public defender or another lawyer can be appointed for you.<sup>30</sup>

Juvenile court hearings for minors charged with crimes are now described as “trials” and resemble adult criminal trials, with pleas, hearing of evidence, and the same standard of proof as in adult trials.<sup>31</sup>

### ***What can the juvenile judge do to me?***

If you are found to have committed a crime, the judge can order any of several things. The possibilities include sending you to the Illinois Department of Corrections for confinement in a youth correctional center or putting you in a so-called “boot camp” for juveniles (in each case for as long as you could have been sentenced to prison if an adult, up to age 21); putting you in a juvenile detention center; sending you to a treatment facility for drug



addiction; and/or placing you in the custody or guardianship of someone other than your parents, including a probation officer.<sup>32</sup> Some of these orders can last until you become 21.

In addition to such immediate consequences, a person who is found in juvenile court to have committed a serious felony, and (before being out of confinement for 10 years) commits *any* felony as an adult, can be sentenced to a term for the adult crime approximately twice as long as it otherwise would be.<sup>33</sup>

If you are found to be a “minor requiring authoritative intervention” (basically a persistent runaway) or an addicted minor, the court may send you to the Department of Children and Family Services, put you under supervision of a relative or probation officer, or make other orders.<sup>34</sup> Although a juvenile judge does not *have* to do any of these things to you, the judge has authority to do them if you come within these categories in the Act.

### ***Can I appeal the judge's decision?***

Yes. The right of appeal to the next higher court (the Illinois Appellate Court) exists in juvenile as in other cases.<sup>35</sup> But remember that an appeal is expensive. And even if you do appeal, the Appellate Court will not reverse the decision of the juvenile judge merely because the Appellate Court judges might have decided the case differently. To win an appeal, you must show that the juvenile judge's decision was legally wrong.

### ***What are some of the criminal laws I should know about?***

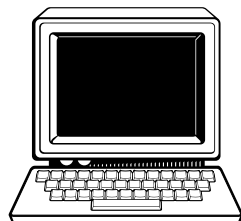
You no doubt know about crimes like murder, arson, robbery, and burglary. Here are some less well-known crimes that may apply more to young people, with their maximum penalties:<sup>36</sup>



- Theft (*without* breaking into a residence or taking anything from the immediate possession of a person): If the property is worth no more than \$300, for a first offense 364 days and/or a \$2,500 fine; for a second theft or related offense, or a theft in a school or place of worship, 3 years and/or a \$25,000 fine. If the

property is worth over \$300, 5 years and/or a \$25,000 fine (or if committed in a school or place of worship, 7 years and/or a \$25,000 fine).<sup>37</sup>

- Intentionally damaging property without the owner's consent: 364 days in jail and/or a \$2,500 fine. If the damage is to property of a school or place of worship, *or* it exceeds \$300, 3 years and/or a \$25,000 fine. Higher fines and longer terms are authorized for damage exceeding \$10,000 or \$100,000. In addition to any other sentence, a violator may be ordered to do 30-120 hours of community service.<sup>38</sup>
- Criminal defacement of property using paint, a writing instrument, or a similar device: 364 days in jail and/or a \$2,500 fine if it is a first offense *and* the damage does not exceed \$300. If the damage is to a school or place of worship, *or* it exceeds \$300, 3 years and/or a \$25,000 fine. If the damage is to a school or place of worship *and* exceeds \$300, 5 years and/or a \$25,000 fine. Higher fines and longer terms are authorized for damage exceeding \$10,000 or \$100,000. In addition to any other sentence, a violator may be ordered to do 30-120 hours of community service, including cleaning up the damage.<sup>39</sup>
- Carrying a dangerous weapon (other than a firearm) for illegal use: 364 days and/or a \$2,500 fine. Carrying a concealed weapon such as a handgun, or transporting in a vehicle a firearm accessible to occupants: 364 days and/or a \$2,500 fine. (A repeat offense is punishable by up to 3 years and/or a \$25,000 fine. Those penalties may soon apply to a first offense.)<sup>40</sup>
- Making an object fall from an overpass and hit a moving vehicle: 7 years and/or a \$25,000 fine; if it kills anyone, 15 years and/or a \$25,000 fine.<sup>41</sup>
- Entering a computer system or network without the owner's consent: 6 months and/or a \$1,500 fine. Obtaining data or use of a computer system or network without the owner's consent: 364 days and/or a \$2,500 fine for a first offense; 3 years and/or a \$25,000 fine for a repeat offense. Altering, damaging, or destroying a computer system or network without the owner's consent: 3 years and/or a \$25,000 fine for a first offense; 5 years and/or a



\$25,000 fine for a repeat offense.<sup>42</sup> (These actions are also likely to bring federal penalties.)

- Unauthorized connection to cable TV service: 364 days and/or a \$2,500 fine—or 3 years and/or a \$25,000 fine if done for money.<sup>43</sup>
- Breaking into or damaging a coin-operated machine: 364 days and/or a \$2,500 fine; if earlier convicted of a theft, robbery, burglary, or home invasion, 3 years and/or \$25,000.<sup>44</sup>
- Library theft: A fine up to \$500 and an order to reimburse the library for replacement costs. Intentional damage of library materials: 364 days and/or a \$2,500 fine; if the amount of loss or damage exceeds \$300, 5 years and/or a \$25,000 fine.<sup>45</sup>
- Entering or remaining on the land of a person who has given notice, either by clearly visible sign or orally just before or during the trespass, that entry is forbidden: 30 days and/or a \$1,500 fine.<sup>46</sup>
- Throwing litter anywhere without permission from the owner: 6 months and/or a \$1,500 fine for a first offense; 364 days and/or a \$2,500 fine for a second offense; 3 years and/or a \$25,000 fine for each additional offense.<sup>47</sup>
- Knowingly aiming an operating laser pointer at a police officer: 364 days and/or a \$2,500 fine.<sup>48</sup>

Many other crimes are listed in Illinois and federal laws. Any action that causes harm, either intentionally or carelessly, to other persons or to property that is not yours is likely to be a crime. Your local police department probably can tell you if something not listed here is prohibited.

In some places, weapons such as guns and knives in schools are becoming a serious problem. Some schools are responding by putting metal detectors at entrances. State law authorizes public schools to inspect school property, including lockers, desks, and parking lots, for illegal drugs, weapons, and other contraband.<sup>49</sup> Possession of a dangerous weapon on school grounds is a felony; persons caught doing it can be tried in regular criminal court and imprisoned if convicted.<sup>50</sup> Shooting a firearm into an occupied school building is a Class X felony, punishable by 6 to 30 years in prison along with a fine up to \$25,000.<sup>51</sup>

***Can I get in trouble for helping someone else break a law?***

Yes. It is just as serious a crime to induce or help someone commit a crime as to do it yourself.<sup>52</sup>

***What are the consequences of joining a gang?***

We all want others to accept us and include us in their activities. This need can be met in many ways, such as joining scouting or other youth organizations, and participating in school sports, musical, drama, and other activities. An extremely dangerous way to meet this need is to join a street gang. Under Illinois law, such a gang is defined basically as a group of people with a leadership structure who show a pattern of committing crimes.<sup>53</sup> Illinois now has several laws to fight gang crime. Gang members may:

- (1) have to post higher bail if charged with a crime related to gang activity;<sup>54</sup>
- (2) serve longer sentences for a crime if it is related to gang activity;<sup>55</sup>
- (3) be ordered to do additional community service work as part of a sentence for crimes related to gangs;<sup>56</sup>
- (4) have their names and records added to a statewide police database listing them as gang members;<sup>57</sup> and
- (5) be sued by local governments for damage caused by their gang activities.<sup>58</sup>

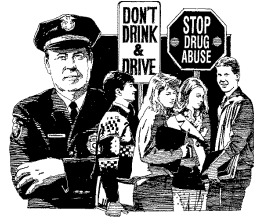
Using force or threat of force to coerce a person to join any organization is a felony punishable by 3-7 years in prison, and may additionally be punished by a fine up to \$25,000. If the violator is over 18 and the victim is under 18, the crime is punishable by 4-15 years in prison, and may additionally be punished by a fine up to \$25,000.<sup>59</sup>

Besides legal costs, joining a gang can have very harmful effects on your life generally. In a study of Denver street gangs for the National Institute of Justice, researchers found that members were over 50% more likely to be involved in crimes such as drug sales and auto theft than other teens. The average time from joining a gang until first arrest was only 6 months.<sup>60</sup>

## DRUGS (INCLUDING ALCOHOL AND NICOTINE)

### ***Why is nicotine included in this section?***

Because it is a drug, and scientists are now learning how highly addictive it is. A 1980 article in a science magazine reported:



Once the smoking habit is well established, preventing withdrawal becomes the major motivation for continuing it....[A series of experiments showed] that chronic smokers are not made *less* irritable than other people by their habit; rather, they are protected from becoming *more* irritable.<sup>61</sup>

A 1986 report from the Harvard School of Public Health stated:

Accumulated evidence is now overwhelming that nicotine, whether inhaled in cigarettes or ingested as snuff or chewing tobacco, is a powerful habit-forming drug which may lead to compulsive use and a greatly diminished capacity to exercise free will over tobacco use.

[M]any parallels can be drawn between tobacco and opium (from which heroin is derived) which are stunning....<sup>62</sup>

A 1987 article in the *New York Times Magazine* said:

Interdisciplinary research in pharmacology, psychology, physiology and neurobiology is just beginning to shed light on the incredible hold that tobacco has on people. Scientists have found, for instance, that nicotine is as addictive as heroin, cocaine or amphetamines, and for most people more addictive than alcohol. Its hooks go deep....<sup>63</sup>

A 1991 article in the *Journal of the American Medical Association* reported the following: "Tobacco, both as cigarettes and in smokeless forms, is increasingly being acknowledged globally as a

highly addictive substance, with severe and often fatal consequences for the habitual user.” The article added that a majority of smokers in the U.S. began using tobacco before age 20.<sup>64</sup>

The message from modern research on tobacco is this: Unless you want to keep using tobacco all your life, and die from it, don’t start. It will be very hard to stop.

### ***What are the laws on tobacco?***

To protect young people from starting on the road to heart disease, cancer, and many other deadly effects of tobacco, Illinois prohibits anyone under 18 from buying it in any form. It is also a crime for anyone to sell or give tobacco to, or buy it for, a person under 18.<sup>65</sup> These prohibitions apply to smoking and chewing tobacco, cigarette paper, and all other materials used for smoking.<sup>66</sup>

Smoking is prohibited on all school property while it is being used for school purposes—which include athletic events.<sup>67</sup> The Illinois Clean Indoor Air Act prohibits smoking in all “public places” except areas where the proprietor has posted signs allowing smoking. “Public place” is defined in the Act as any enclosed indoor area used by the public or serving as a place of work, including but not limited to retail stores, other commercial establishments, restaurants, meeting rooms, auditoriums, indoor theaters, arenas, concert halls, art museums, educational facilities, libraries, offices, hospitals, and nursing homes.<sup>68</sup>

The only places specifically excepted are bowling alleys; bars; hotel rooms; and private enclosed offices occupied *only* by smokers. Smoking in any “public place,” except in an area posted for smoking, is punishable by a fine of up to \$500.<sup>69</sup> Persons affected by such illegal smoking can call the police to enforce the law. They can also bring suit to stop violations.<sup>70</sup>

Ordinances of some cities, including Chicago and Rockford, are even stronger. The Illinois Clean Indoor Air Act specifically authorizes such ordinances that were passed before October 1989.<sup>71</sup> Federal and state laws, and local ordinances, increasingly protect people’s right to smoke-free air in public buildings, offices, buses, trains, and airplanes. Thus if you start smoking, you may have to break the law to keep doing so.



***What about alcohol?***

Illinois and all other states prohibit sale of alcoholic beverages to anyone under 21.<sup>72</sup> It is also a crime for a person under 21 to use false evidence of age, such as a fraudulent ID card, to buy alcohol,<sup>73</sup> or for anyone to buy alcohol and give it to a person under 21.<sup>74</sup>

***Why can't I drink if I'm responsible about it?***

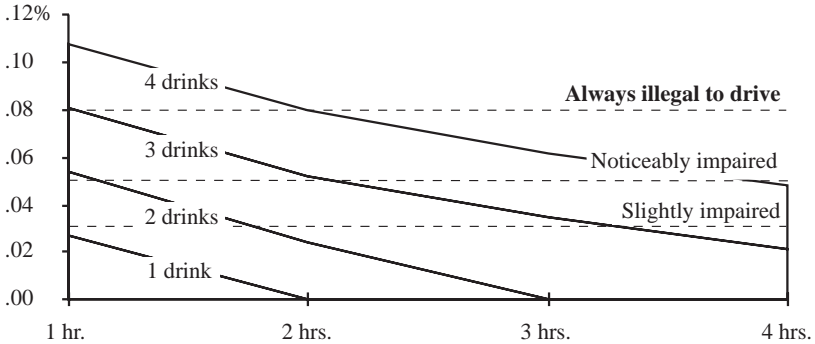
Unfortunately, it's impossible to tell beforehand who will be responsible with alcohol and who won't. Thousands of deaths are caused on U.S. highways each year by *adult* drinkers who would be kept off the road if law-enforcement agencies could catch them. Alcohol abuse is a very serious problem among young people. The Illinois Secretary of State reports that more than 35% of all deaths among persons aged 15 to 20 result from motor vehicle crashes, and an estimated 35% of these fatalities are alcohol-related.<sup>75</sup> So the state is trying to fight the problem when it begins.

The graphs on the next page, and the table on p. 15, show *estimated* effects of drinking various amounts of alcohol over several time periods on persons of three body weights. The graphs are based on *average* drinks—described as a 12-ounce can of beer, or about 1 ounce of liquor. A person who weighs less; drinks products containing more alcohol; drinks faster; or has impaired liver function will see greater effects. Notice that the risk of having a traffic accident rises *fourfold* by the time your blood alcohol level reaches .08%—the legal limit for driving in Illinois and many other states.

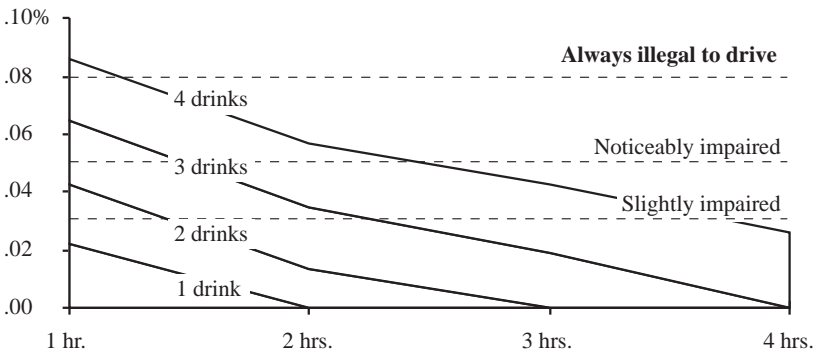
Remember too that the graphs show only *estimated* blood alcohol levels; they do not guarantee that your level won't be higher if you drink. An important point to remember is that most research into the effects of alcohol on driving and other activities has used male subjects. There is growing evidence that consuming a given amount of alcohol tends to cause a higher blood alcohol level in a woman than in a man of the same weight.<sup>76</sup> Thus female drivers in particular should keep in mind that they may exceed the legal limit with fewer drinks than the graphs show.

## Estimated Blood Alcohol Levels 1 to 4 Hours After Taking 1 to 4 Drinks

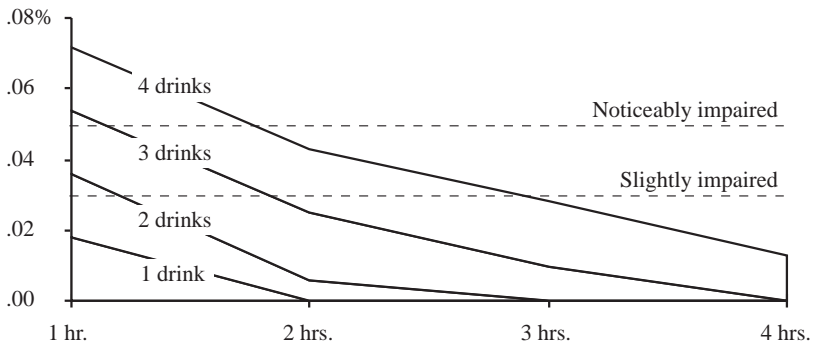
**120-lb. Person**



**150-lb. Person**



**180-lb. Person**



Also, you can be convicted of driving under the influence even if your blood alcohol level is below the legal limit—if the evidence shows that you were under the influence of alcohol and/or other drugs.<sup>77</sup>

### **Typical Effects of Blood Alcohol Levels on Driving Ability**

- .02% Mild elation.
- .03% Judgment and reactions slightly impaired.
- .05% Inhibitions begin disappearing; judgment becomes noticeably impaired.
- .08% Abilities to steer, brake, control speed, and judge distance are impaired. Risk of accident is 4 times normal. **Driving at this level or above is always illegal.**
- .10% Judgment seriously affected; coordination impaired.
- .15% Aggressive tendencies, slurred speech, and loss of self-control. Chance of accident is 25 times normal.

Sources: *The American Medical Association Family Medical Guide* (Random House, Inc., 1982), p. 36 (copyright 1982 Dorling Kindersley Limited; reprinted by permission); Illinois Department of Transportation, "Blood Alcohol Content Estimator" (slide calculator, February 1998)

### ***What exactly is the law on carrying alcohol in a car?***

It is illegal for either a driver or passenger to have any alcoholic beverage in the passenger area of a car or truck while it is on the road, unless it is "in the original container and with the seal unbroken."<sup>78</sup> Violation, in addition to criminal penalties, can result in revocation of your driver's license if you are under 21.<sup>79</sup> This law is intended to prevent drinking while driving, and applies to persons of any age. Thus even after you are old enough to drink, the only legal place for an opened container of alcohol in a car will be the trunk.

### ***What are the penalties for drunk or drugged driving?***

Driving under the influence of alcohol and/or any other drug(s) or intoxicating compound(s) that endanger safe driving will cause mandatory revocation of your driver's license, plus criminal penalties of up to 364 days in jail and a fine up to \$2,500.<sup>80</sup> If you are under 21 at the time, you cannot get another license for 1 year

after revocation. If you then meet conditions set by the Secretary of State, you can get a restricted driving permit, good for 1 year, that generally allows driving only between 5 a.m. and 9 p.m. After that, you can apply for (but are not assured of getting) a regular driver's license.<sup>81</sup>

Those are the penalties for a *first* offense. For a second offense within 20 years, the same criminal penalties apply, your license will be revoked, and you cannot apply for another license for 5 years.<sup>82</sup> For a third offense in your lifetime, you can be imprisoned up to 3 years and fined up to \$25,000; your license will be revoked; and you cannot apply for another one for 10 years.<sup>83</sup> For a fourth offense, you can be imprisoned up to 3 years, fined up to \$25,000, and can **NEVER AGAIN** legally drive.<sup>84</sup>

Anyone found guilty (in either juvenile or adult court) of using or possessing marijuana or another illegal drug while driving a motor vehicle cannot get a driver's license, or will lose an existing license, for 1 year (or if under 17, until age 18).<sup>85</sup> Anyone convicted of using an intoxicating compound while driving will lose an existing license or permit for 1 year.<sup>86</sup> ("Intoxicating compounds" include several substances that can be sniffed or otherwise used to bring about a "high" or other confused feeling.<sup>87</sup>)

In addition to the criminal penalties described above, the law requires automatic suspensions of drivers' licenses in some situations before trial. Your license will be automatically suspended for 3 months if (a) while driving you are found to have in your blood **any** amount of a drug or intoxicating compound due to illegal use, or (b) while driving before age 21 you are found to have any amount of alcohol in your blood unless it was taken in a religious ceremony or in a proper dose of medicine.<sup>88</sup>

By driving on any street, road, or highway you automatically give consent for police to test your breath, blood, or urine if they believe you are driving under the influence of alcohol, another drug, or an intoxicating compound.<sup>89</sup> If you refuse to be tested, your driver's license will be automatically suspended for 6 months the first time,<sup>90</sup> and for 3 years if you refuse on a later occasion.<sup>91</sup> If you cause an accident while driving under the influence, and emergency vehicles respond, you will be liable for costs of the emergency response.<sup>92</sup> And you will be morally and criminally responsible if you injure or kill anyone.

### ***How serious a crime is marijuana use?***

Marijuana has serious effects on users' brains, which become irreversible if it is used repeatedly. According to doctors who have treated users, these can include loss of motivation, mood swings, and eventual inability to deal with reality.<sup>93</sup> A 1997 article in the journal *Science* reported on two recent medical research studies which found "disturbing similarities between marijuana's effects on the brain and those produced by highly addictive drugs such as cocaine, heroin, alcohol, and nicotine." The studies indicated that marijuana acts on the brain in basically the same way as those other drugs (although perhaps a bit less directly), and can cause withdrawal symptoms if its use is stopped—potentially leading a user who can no longer get it to switch to other drugs.<sup>94</sup>

Because of these dangers from marijuana use, Illinois law prohibits possession of any amount of marijuana.<sup>95</sup> However, Illinois lawmakers recognize that distributors and sellers of marijuana and other illegal drugs should be punished more severely than people who buy it for their own use. Therefore the penalties for possession go up with amount possessed, and are highest for those who grow, distribute, or sell it. The first table below shows the maximum penalties for simply *possessing* marijuana (or any substance containing THC, its main active ingredient). The "Additional assessment" column shows amounts that must be imposed with each conviction, on top of any fine. They go to the state's Drug Treatment Fund.

### **Penalties for Possessing Marijuana**

<i>Amount in grams*</i>	<i>Maximum prison</i>	<i>Maximum fine</i>	<i>Additional assessment</i>
Up to 2.5	30 days	\$ 1,500	\$ 200
2.5 to 10	6 months	1,500	200
10 to 30†	364 days	2,500	300
30 to 500†	3 years	25,000	500
500 to 2,000	5 years	25,000	500
2,000 to 5,000	7 years	25,000	1,000
Over 5,000	15 years	25,000	2,000

\* There are about 28 grams in an ounce.

† Penalty is higher for a repeat offense.

Sources: 720 ILCS 550/4; penalties by class of crime stated in 730 ILCS 5/5-8-1, 5/5-8-3, and 5/5-9-1; and assessments required by 720 ILCS 550/10.3(a).

The next table shows penalties for making; possessing with intent to deliver (transfer to anyone else); or delivering marijuana or its products. For amounts up to 2,000 grams, the rows labeled “At school” show higher penalties if the crime is committed either on school grounds or in a school vehicle such as a bus. As in the preceding table, the “Additional assessment” column shows a mandatory charge in addition to any fine.

### **Penalties for Transferring Marijuana**

<i>Amount in grams*</i>	<i>Maximum prison</i>	<i>Maximum fine</i>	<i>Additional assessment</i>
Up to 2.5	6 months	\$ 1,500	\$ 200
At school	364 days	2,500	300
2.5 to 10	364 days	2,500	300
At school	3 years	25,000	500
10 to 30	3 years	25,000	500
At school	5 years	50,000	500
30 to 500	5 years	50,000	500
At school	7 years	100,000	1,000
500 to 2,000	7 years	100,000	1,000
At school	15 years	200,000	2,000
2,000 to 5,000	15 years	150,000	2,000
Over 5,000	30 years	200,000	3,000

\* There are about 28 grams in an ounce.

Source: 720 ILCS 550/5, 550/5.2, and 550/10.3.

A person who makes or possesses marijuana in an enterprise with other persons, and directs, finances, or receives over \$500 from that conspiracy, can be imprisoned up to 5 years for a first violation (or 15 years for a repeat violation); fined up to \$200,000; and required to forfeit everything obtained from the criminal enterprise.<sup>96</sup>

In summary, Illinois law punishes most severely those who deal in marijuana, but does not treat personal use lightly.

### ***What are the penalties for other drugs?***

The table below gives examples of maximum penalties for possession *without making or selling* major illegal drugs. (Making, distributing, or selling is always a more serious crime.) Each column heading shows the number of years in prison that can be imposed for possessing the amounts listed in that column. In addition to prison, a violator may be assessed from \$200 to \$3,000, depending on amount possessed, to help fund drug treatment.<sup>97</sup>

#### **Examples of Prison Sentences for Possessing Major Drugs (amounts listed are grams, except for LSD pieces)**

	<i>3 years</i>	<i>15 years</i>	<i>30 years</i>	<i>40 years</i>	<i>50 years</i>
Amphetamines	up to 199	200+			
Barbiturates	up to 199	200+			
Cocaine	up to 14	15-99*	100-399*	400-899*	900+*
Heroin	up to 14	15-99*	100-399*	400-899*	900+*
LSD					
grams	up to 14	15-99*	100-399*	400-899*	900+*
pieces	up to 14	15-199*	200-599	600-1499	1500+
Methaqualone	up to 29	30+			
Methamphetamine	up to 14	15-99*	100-399*	400-899*	900+*
Morphine	up to 14	15-99*	100-399*	400-899*	900+*
Peyote	up to 199	200+			
PCP	up to 29	30+			

\* A violator may be fined the full street value of the drugs if over \$200,000.

Source: 720 ILCS 570/402 as re-enacted by P.A. 90-593 and amended by P.A. 90-674 (1998).

Under a 1999 law, the superintendent or other head of a public or private school must report to local police all verified incidents involving illegal drugs in school buildings, property used by schools, and school buses.<sup>98</sup>

### ***What are the rules on drug testing of athletes?***

The Illinois High School Association has no policy requiring testing of student athletes for drugs, but schools are free to have such policies. The U.S. Supreme Court in 1995 upheld such a school

policy, primarily on the grounds that (1) participation in extracurricular sports is voluntary and (2) the privacy interests of students are outweighed by the need to keep illegal drugs out of school sports.<sup>99</sup>

In addition to health risks and the possibility of being barred from sports, Illinois law prohibits possession of anabolic steroids which athletes sometimes take. Violation is punishable by a fine up to \$1,500 and up to 30 days in jail (6 months for a repeat offense within 2 years).<sup>100</sup> If you are an athlete, it is never a good idea to introduce illegal drugs into your body.

## SEXUAL BEHAVIOR AND ABUSE

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### ***What does “sexual abuse” mean?***

This term refers primarily to adults engaging in any sexual behavior with children. This is a very harmful kind of child abuse because it can cause victims to have guilt feelings and difficulty in social or marital adjustment for many years, or even decades. The offender may be a stranger, or an acquaintance, uncle, stepparent, or other relative.



Sexual abuse is a serious crime.<sup>101</sup> The state of Illinois is committed to stopping it whenever and wherever it occurs in the state. The state has a toll-free child abuse hotline available 24 hours a day, 7 days a week to receive reports of child abuse, including sexual abuse. It is 1-800-25ABUSE (in numbers, 1-800-252-2873). If you or anyone you know is a victim of sexual abuse, you should call this number and give the names and address(es) of the persons involved. The Department of Children and Family Services (DCFS) is required to start investigating immediately if necessary, and in any case within 24 hours, including interviewing the child for details.<sup>102</sup> DCFS investigators have authority to remove the child to a safe place if they believe the child's life or health is in danger.<sup>103</sup>



### ***Can I get in trouble with the law for sexual behavior?***

Yes. You will be criminally liable for sexual conduct (including sexual touching) in any of several kinds of situations, regardless of your or the other person's gender:

- (1) You are under 17 and the other person is between 9 and 16; or you are less than 5 years older than the other person, who is aged 13 to 16. This is a Class A misdemeanor, punishable by up to 364 days and/or a fine up to \$2,500.<sup>104</sup>
- (2) You are at least 17 and the other person is under 13; or you are under 17 and the other person is under 9. This is a Class 2 felony, punishable by 3 to 7 years and a fine up to \$25,000.<sup>105</sup>
- (3) You are at least 17 and the other person is under 13, and the conduct involves any contact between sex organs, or intrusion of any part of either person's body or any object into any part of the other person's body in the pelvic area. This is a Class X felony, punishable by 6 to 30 years and a fine up to \$25,000.<sup>106</sup>
- (4) The conditions in (3) apply and you use any drug in connection with the act. This is a Class X felony with a *minimum* prison term of 50 years.<sup>107</sup>

It is important to keep in mind that *the other person's consent is not a defense* to any of these crimes. These prohibitions are designed to protect very young people from sexual activity before they are old enough to understand fully its effects. Of course, any sexual act done by force or threat of force is a very serious felony—Class 1 (4 to 15 years and up to a \$25,000 fine) or Class X;<sup>108</sup> or if done with a firearm, a Class X felony to which 15 to 25 years must be added to the normal term for Class X.<sup>109</sup>

### ***Are there any other legal dangers from sexual activities?***

Yes. If you become a parent, you can be required to support your child up to age 18.<sup>110</sup> In that case, part of the money you earn from work, or any other regular source of income, for 18 years after the child's birth can be taken by court order to provide support.<sup>111</sup> Blood testing of DNA is now required in Illinois paternity cases<sup>112</sup> and is highly accurate in determining who is the father.

Mothers are also required to support their children to age 18 just like fathers.<sup>113</sup>

There can also be legal liability for sexual transmission of disease. But this is one area in which legal risks may not be as worrisome as health risks. Sexual activity with numerous persons has a high risk of infecting you with a virus that would stay with you for the rest of your life. Three such viruses are of major concern so far:

- HIV, the virus that causes AIDS. Many people now live successfully with HIV infection because of new drug therapies. But those therapies cost many thousands of dollars per year; require taking up to 30 pills spread throughout each day; have serious side effects; and may eventually fail anyway because the virus may mutate into drug-resistant forms.
- Hepatitis C virus, which causes gradual liver damage and sometimes even death from liver failure.
- Herpes simplex II virus, which causes lifetime infections and can have effects as serious as sterility.

If you contract any of these viruses and later get married, you will need to take careful precautions to avoid transmitting it to your spouse. Even with the best precautions, the risk of transmitting such an infection at some time or other to a regular sex partner is high. The following was the latest information from the U.S. Centers for Disease Control and Prevention on the prevalence of these viruses when this booklet was revised:

- An estimated 650,000 to 900,000 Americans are infected with HIV.<sup>114</sup>
- An estimated 3.9 million Americans are infected with the hepatitis C virus.<sup>115</sup> Some were infected by blood transfusions before testing of donors for this virus began in 1992. Now it is most commonly spread by intravenous drug use, and by sex acts with infected persons. Most people carrying the virus do not know they have it because it usually causes no symptoms for years. But about 70% of them will eventually develop chronic liver disease, and some will die unless they get liver transplants. Chronic liver disease now causes 8,000 to 10,000 deaths per year in the U.S. That number probably will rise as

the infection gradually develops in many people who are now infected.<sup>116</sup>

- An estimated *45 million* Americans are infected with herpes simplex II virus. The group in which the rate of infection is rising most rapidly is teenagers.<sup>117</sup>

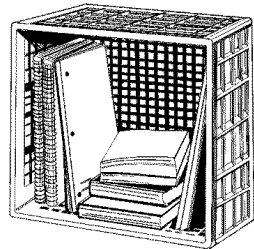
Some other sexually transmitted diseases are becoming harder to treat as the bacteria or other organisms that cause them increase their resistance to antibiotics. Those diseases also can sometimes cause irreversible harm.

Ask yourself whether any benefits of promiscuity will be worth its future costs.

## SCHOOL

### ***How long must I go to school?***

Everyone aged 7 to 16 is required to attend either a public or an acceptable private school.<sup>118</sup> Students who repeatedly fail to attend can be dealt with by truant officers, and if necessary by the courts.



Of course, this is merely the minimum legal education requirement. The realities of work and life in a complex society require much more education for most people.

### ***What powers do teachers and principals have?***

This is a complex question about which courts often have to make decisions. School personnel have a legal duty to maintain reasonable order in schools and at all activities connected with schools, including all athletic and extracurricular programs.<sup>119</sup> This includes taking measures to protect students and employees against physical attack, drug distribution, and other harm. Because a school combines many people in a single building, who constantly mingle with one another, there is much greater need for security against contraband and health dangers than there is

outside. For these reasons, state law authorizes public schools to inspect school property, including lockers, desks, and parking lots, for illegal drugs, weapons, and similar contraband.<sup>120</sup>

However, the actions of school personnel must be reasonable, and courts can hold them liable if they go too far. The courts usually try to balance the need for order and safety in schools against the expectations of students for privacy and reasonable freedom to control their own lives (with guidance from parents). Few specific principles on the subject can be stated absolutely.

## EMPLOYMENT

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### *How old must I be to get a job?*

For ordinary kinds of employment the minimum legal age is 16. This Illinois law applies to places such as restaurants, stores, offices, and factories.<sup>121</sup> But a federal law effectively excludes persons under 18 from kinds of work the Secretary of Labor has determined to be dangerous or unhealthful for them, which applies to many kinds of factory and other work involving dangerous equipment or substances.<sup>122</sup>



If you are between 14 and 16 and want to work in a nondangerous job, you may be able to do so by getting an “employment certificate” from the city or county superintendent of schools. Such a certificate will be issued if the superintendent’s staff determine that the kind of work you want to do will not harm your health and will be done outside of school hours or during school vacations.<sup>123</sup>

There are some exceptions to the work restrictions described above. Persons 10 or older may do agricultural work outside school hours or during school vacations.<sup>124</sup> Those 13 or older may work as caddies at golf courses.<sup>125</sup> And those 14 or 15 may be allowed to work in federally funded work training programs supervised by the State Board of Education.<sup>126</sup>

Working during your teen years may help prepare you for adult duties. On the other hand, many teens who work during the school year find it hard to do their schoolwork as well as they should. The money you earn now will probably be spent soon; but knowledge and mental skills developed through study will last a lifetime.

## MARRIAGE

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### ***At what age can I get married?***

Anyone may get married at age 18. Or a person may get married at 16 or 17 with either the consent of both parents, or a court order.<sup>127</sup> The court will give such an order only if convinced that the person under 18 “is capable of assuming the responsibilities of marriage and the marriage will serve his [or her] best interest.”<sup>128</sup>



Just because the law will allow marriage at an early age doesn't mean it is usually a good idea. Many people who marry in their teens later feel “trapped.” Divorce rates from teenage marriages are high; this can leave both partners burdened with supporting children and interrupt (or end) their education. With average life expectancy approaching 80 years, it may not be a good idea to pick a lifetime partner during your first 20.

## PARENTAL RESPONSIBILITIES

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### ***What responsibilities does the law impose on parents?***

Parents are required to support their children to age 18.<sup>129</sup> This requirement applies regardless of whether the parents were married when the child was born, and regardless of whether they become, or stay, married afterward.<sup>130</sup> Being a minor does not relieve a parent of the obligation to support a child.<sup>131</sup> If the father of a child born to unmarried parents is not known, the mother (or

Illinois Department of Public Aid if it provides aid to the child) can bring a paternity suit to prove who is the father and require him to provide support. (See the discussion of this subject on page 21-22.

Parents also have a duty to provide necessary care, guidance, and education for their children. Of course, different parents raise children in quite different ways. But if parents' care falls below a minimum level considered essential by the law, the child(ren) can be taken away as neglected or abused under the Juvenile Court Act.<sup>132</sup>

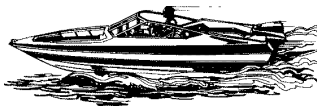
Finally, parents can be required to pay for any damage, up to \$2,500 per person harmed, to any person or organization by an act of intentional harm by their child.<sup>133</sup> This law is designed to cause parents to exercise enough supervision so their children will not commit vandalism or other harm to persons or property.

## LICENSING REQUIREMENTS

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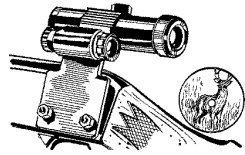
### *What activities require licenses?*

Major activities in addition to driving for which you may need a license, or need to be above or below a certain age, are listed below.



*Boating.* No person under 10 may operate a motorboat. A person who is 10 or 11 may operate a motorboat only if accompanied by a parent, guardian, or designee who is at least 18, and under that person's direct control while operating it.<sup>134</sup> These provisions apply equally to personal craft propelled by jets of water.<sup>135</sup> A person 10 or older may take a course to earn a Boating Safety Certificate. With such a certificate, an operator aged 12 through 17 need not be accompanied.<sup>136</sup> But it is illegal for a rental business to rent a personal watercraft (a powered device without sides, such as a Jet Ski®, on which a user typically sits or kneels) to anyone under age 16.<sup>137</sup>

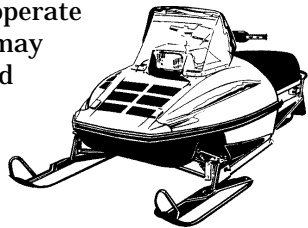
**Firearms.** A person of any age must have a Firearm Owner's Identification Card to buy a firearm or ammunition. To obtain this so-called "FOID" card, a person must not (among other things) have been convicted of any felony; have been convicted in the past 5 years of a violent crime using a firearm; have been convicted in the past 5 years of domestic battery; be addicted to narcotics; be an illegal alien; or have been a patient in a mental institution in the last 5 years. An applicant under 21 must also have the written consent of a parent or legal guardian, and must never have been convicted of a misdemeanor (other than a traffic offense) or judged delinquent.<sup>138</sup> Each person applying to buy a firearm from a licensed firearms dealer is subjected to a background check during the waiting period for that firearm.<sup>139</sup> No one under 18 may buy or possess a concealable firearm.<sup>140</sup>



**Fishing and hunting.** Persons under 16 need not have fishing licenses to fish with "sport fishing" devices such as a pole and line.<sup>141</sup> Illinois residents 16 or older may buy "sport fishing" licenses at many stores for \$12.50. Other kinds of licenses are sold for various kinds of fishing.<sup>142</sup>

A hunting license is required before attempting to hunt a species protected by an open season. No person under age 16 will be issued a hunting license without either (a) written consent of a parent or guardian, or (b) evidence of having held a license in Illinois or another state the previous year, or holding a certificate of competency earned from a course of instruction. The license fee for an Illinois resident is \$7. Persons hunting various types of animals must also buy permits or stamps for those types.<sup>143</sup>

**Snowmobiles.** No person under 10 may operate a snowmobile. A person who is 10 or 11 may operate a snowmobile only if accompanied on it by a parent, guardian, or designee who is at least 18. With a certificate authorizing operation of a snowmobile, an operator aged 12 to 16 need not be accompanied. But no one under 16 may operate a snowmobile on a public highway.<sup>144</sup>



Information on courses and licenses to boat, fish, hunt, and operate snowmobiles is available from the Illinois Department of Natural Resources at (800) 832-2599.

## FOR MORE INFORMATION

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If you need details on laws described in this booklet, you may be able to find them at a library. Ask whether it has the Illinois Compiled Statutes, which are available in book and CD-ROM form. If so, you can look up the Illinois laws using the notes that start on page 30.

Although reading the laws can be helpful, keep in mind a couple of cautions. The first is that any law shown in statute books or a CD-ROM may have been amended since that version of the statutes was issued. The second is that in some situations other laws may affect the same activity. For these reasons, you may want to ask someone familiar with the area of law in which you are interested. Your school counselor, a police officer, or a state legislator's office may be able to help.

## HOW ILLINOIS LAWS ARE ENACTED

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When your legislators go to Springfield, they have many ideas for changing Illinois laws or enacting new ones. Each idea must be proposed in a "bill" to be introduced in either the Senate or House of Representatives.

The Illinois Constitution requires that each bill have three "readings" by number and title in each legislative house. This helps legislators and the public learn about it before it is voted on. After First Reading, a bill is assigned to the committee that deals with its subject. The committee may amend the bill then. If the committee reports it favorably to the full house, it gets a Second Reading, when further amendment is allowed subject to restrictions. On Third Reading the bill is debated, and either approved or disapproved by that house.



If the bill is passed by the house into which it was introduced, it goes to the other house. There it goes through the same process, including a committee hearing and possible amendments. If the second house passes it in the same version as the first, it goes to the Governor. (If the two houses pass it in different versions, they must work out the differences before the bill can go to the Governor.)

The Illinois Constitution gives the Governor four possible responses to a bill: approval; total veto; amendatory veto; or an item or reduction veto. A total veto disapproves a bill in its entirety. An amendatory veto approves of the general intent of a bill but proposes specific changes that the Governor thinks would improve it. Item and reduction vetoes propose cuts in amounts the legislature has voted to appropriate for state spending.

If the Governor puts any kind of veto on a bill, it goes back to the legislature. Legislators may vote to accept the Governor's action; or they may vote to restore the bill to its original form. Doing the latter, called "overriding" the veto, requires a three-fifths majority in each house.

If the Governor approves a bill, or the legislature overrides the Governor's veto of it, it becomes a law. The Secretary of State then gives it a Public Act number and prints it in the Laws of Illinois. Legal publishers add it at the proper place in the Illinois Compiled Statutes. It is then available to anyone who wants to read it, in libraries around the state.

## Notes

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The citations below to “ILCS” refer to the Illinois Compiled Statutes, the state’s official code of laws, which is available in many libraries in book and/or CD-ROM form. As an example of a citation, “125 ILCS 20/1” would mean chapter 125 of the Illinois Compiled Statutes, act 20, section 1. There is also one citation below to the U.S. Code (the federal code of laws), which your local library may have. Be sure to check the latest “supplement” to any printed version of statutes you find. This may be in the form of one or more separate booklets, or a “pocket part” in the back of a bound volume.

### **BICYCLING, HITCHHIKING, DRIVING**

1. 625 ILCS 5/11-1502.
2. 625 ILCS 5/11-1505.
3. 625 ILCS 5/11-1502 and 5/11-306.
4. 625 ILCS 5/11-1511.
5. 625 ILCS 5/11-1503(b).
6. 625 ILCS 5/11-1506.
7. 625 ILCS 5/11-1507(a).
8. Chicago Municipal Code, sec. 9-52-020.
9. 625 ILCS 5/11-1512.
10. You can get one or two copies by writing to Communications Dept., Secretary of State, Room 474 Howlett Bldg., Springfield, Illinois 62706; by calling (217) 785-8234; or on the World Wide Web at [http://www.sos.state.il.us/pubs/bicycle/p\\_bicycl.html](http://www.sos.state.il.us/pubs/bicycle/p_bicycl.html) (which has an on-line order form). Another publication, the “Illinois Bicycling Guide,” is published by the Department of Natural Resources and can be obtained from it at 524 S. Second St., Springfield, Illinois 62701-1787.
11. 625 ILCS 5/11-1501(b).
12. Use of these highways by persons on foot has been prohibited under 625 ILCS 5/11-711(b).
13. 625 ILCS 5/11-1006.
14. 625 ILCS 5/6-103, subd. 1.
15. 625 ILCS 5/6-107 to 6-107.3.
16. 625 ILCS 5/6-103, subd. 1; 5/6-107(b); and 5/6-107.1.
17. 625 ILCS 5/6-107.1(a)(1).
18. 625 ILCS 5/6-103, subd. 1.
19. 625 ILCS 5/6-107(c), referring to crimes listed in 625 ILCS 5/6-205 and some other crimes.
20. 625 ILCS 5/6-107(b).
21. 625 ILCS 5/6-107(f).
22. 625 ILCS 5/6-107(e).

### **GENERAL CRIMINAL LAW**

23. See 705 ILCS 405/5-120.
24. See 705 ILCS 405/5-125.

25. 705 ILCS 405/5-130(4)(a).
26. 705 ILCS 405/5-130(1)(a) (as amended by P.A. 91-15, eff. January 1, 2000), (2)(a), and (3)(a).
27. 705 ILCS 405/5-130(5)(a).
28. 705 ILCS 405/5-810(1).
29. P.A. 90-590, sec. 2001-10 (eff. Jan. 1, 1999).
30. 705 ILCS 405/1-5(1).
31. See 705 ILCS 405/5-601 ff. (esp. 405/5-605).
32. 705 ILCS 405/5-710.
33. 730 ILCS 5/5-5-3.2(b)(10), added by P.A. 91-119 (1999).
34. 705 ILCS 405/3-24 and 4-21.
35. Ill. Const., art. 6, sec. 6; Ill. Sup. Ct. Rules 301 and 660.
36. The penalties for each class of crime are set out in 730 ILCS 5/5-8-1, 5-8-2, 5-8-3, and 5-9-1.
37. 720 ILCS 5/16-1 as amended by P.A.'s 91-118, 91-360, and 91-544 (all 1999).
38. 720 ILCS 5/21-1 as amended by P.A. 91-360 (1999).
39. 720 ILCS 5/21-1.3 as amended by P.A. 91-360.
40. 720 ILCS 5/24-1(a)(2) and (4), and (b).
41. 720 ILCS 5/12-2.5.
42. 720 ILCS 5/16D-3.
43. 720 ILCS 5/16-10.
44. 720 ILCS 5/16-5.
45. 720 ILCS 5/16B-5.
46. 720 ILCS 5/21-3.
47. 415 ILCS 105/4 and 105/8.
48. 720 ILCS 5/24.6-20, added by P.A. 91-252 (1999).
49. 105 ILCS 5/10-22.6(e).
50. 705 ILCS 405/5-130(3)(a), referring to 720 ILCS 5/24-1(a)(1), (3), (4), and (10).
51. 720 ILCS 5/24-1.2(a)(1) and (b), as amended by P.A. 91-12 (1999). See note 36 above on penalties.
52. 720 ILCS 5/5-1 and 5/5-2.
53. See 740 ILCS 147/10.
54. 725 ILCS 5/110-5(a).
55. 730 ILCS 5/5-5-3.2(a)(15) and (b)(8).
56. 705 ILCS 405/5-710(10).
57. 20 ILCS 2640/10 and 705 ILCS 405/1-7(A)(1).
58. 740 ILCS 147/15 ff.
59. 720 ILCS 5/12-6.1.]
60. Professor C. Ronald Huff, Ohio State University, "The Criminal Behavior of Gang Members" (final report to National Institute of Justice under grant 91-IJ-CXK013), Tables 33 and 38.

## **DRUGS (INCLUDING ALCOHOL AND NICOTINE)**

61. Bennett, "The Cigarette Century," *Science* 80, Sept.-Oct. 1980, p. 36 at 41; emphasis added.
62. Harvard School of Public Health, Center for Health Communication, *Research Status Report: Nicotine Dependency and Compulsive Tobacco Use*, pp. 1, 2 (June 19, 1986).
63. Blakeslee, "Nicotine: Harder to Kick Than Heroin," *N.Y. Times Magazine*, March 29, 1987, p. 22.

64. Blum, "Global Trends in Adolescent Health," *Journal of the American Medical Association*, May 22/29, 1991, pp. 2714-2715.
65. 720 ILCS 675/1.
66. 720 ILCS 675/1 and 685/4.
67. 105 ILCS 5/10-20.5b and 5/34-18.11.
68. 410 ILCS 80/3.
69. 410 ILCS 80/4 and 80/7. The maximum fine is set in 730 ILCS 5/5-9-1.
70. 410 ILCS 80/8.
71. 410 ILCS 80/11.
72. 235 ILCS 5/6-16(a), 1st paragraph.
73. 235 ILCS 5/6-16(a), next-to-last paragraph.
74. 235 ILCS 5/6-16(a), 1st paragraph.
75. Secretary of State, "DUI In Illinois: Manual of Laws and Statistics" (August 1997), p. 7.
76. See, for example, Schenker and Speeg, "The Risk of Alcohol Intake in Men and Women: All May Not Be Equal" (editorial), *New England Journal of Medicine*, January 11, 1990, p. 127.
77. 625 ILCS 5/11-501(a)(2) to (5).
78. 625 ILCS 5/11-502(a) and (b). See also 625 ILCS 5/1-126.
79. 625 ILCS 5/11-502(f) and 6-206(a), subd. 33.
80. 625 ILCS 5/11-501(c) and (g), and 5/6-208.
81. 625 ILCS 5/6-205(d).
82. 625 ILCS 5/11-501(c) and 5/6-208(b), subd. 2.
83. 625 ILCS 5/11-501(d) and 5/6-208(b), subd. 3.
84. 625 ILCS 5/11-501(d)(2) and 5/6-208(b), subd. 4.
85. 625 ILCS 5/6-103, subd. 12; 5/6-107(c); 5/6-108(b); and 5/6-201(a), subd. 7.
86. 625 ILCS 5/6-201(a), subd. 7.
87. See 720 ILCS 690/1, to which the provision cited above on intoxicating compounds refers.
88. 625 ILCS 5/11-501.1(c) to (e) and 5/6-208.1(a), subd. 2; 5/11-501.8; and 5/6-208.2.
89. 625 ILCS 5/11-501.1(a). See also 625 ILCS 5/1-126.
90. 625 ILCS 11-501.1(d) and (e), and 5/6-208.1(a), subd. 1.
91. 625 ILCS 11-501.1(d) and (e), and 5/6-208.1(a), subd. 3.
92. 625 ILCS 5/11-501(f) and 730 ILCS 5/5-5-3(b), third unnumbered paragraph.
93. See, for example, National Institute on Drug Abuse, *Marijuana and Youth: Clinical Observations on Motivation and Learning* (1982), pp. 38-55.
94. Wickelgren, "Marijuana: Harder Than Thought?" *Science* (journal of the American Association for the Advancement of Science), June 27, 1997, p. 1967.
95. 720 ILCS 550/4.
96. 720 ILCS 550/9.
97. 720 ILCS 570/411.2.
98. 105 ILCS 5/10-27.1B, added by P.A. 91-491 (1999).
99. *Vernonia School Dist. 47J v. Acton*, 515 U.S. 646, 115 S. Ct. 2386 (1995).
100. 720 ILCS 570/402(d).

## SEXUAL BEHAVIOR AND ABUSE

101. 720 ILCS 5/12-13 to 5/12-16. The more serious crimes described in these sections are legally referred to as sexual "assaults" and correspond approximately to the historical crime of rape.
102. 325 ILCS 5/7.4.

103. 325 ILCS 5/5.
104. 720 ILCS 5/12-15(b) and (c). See also the definitions in 720 ILCS 5/12-12, which apply to those provisions and the ones cited in the next four endnotes.
105. 720 ILCS 5/12-16(c).
106. 720 ILCS 5/12-14.1(a)(1).
107. 720 ILCS 5/12-14.1(a)(3) and (b).
108. 720 ILCS 5/12-13(a)(1) and 5/12-14(a).
109. 720 ILCS 5/12-14(a)(8) to (10) and (d)(1) as added or amended by P.A. 91-404 (1999).
110. 750 ILCS 16/15, added by P.A. 91-613 (1999).
111. 750 ILCS 16/15 and 16/20, added by P.A. 91-613.
112. 750 ILCS 45/11.
113. 750 ILCS 16/15, added by P.A. 91-613.
114. Centers for Disease Control and Prevention, National Center for HIV, STD, and TB Prevention, "CDC Update: How many people have HIV & AIDS" (updated May 13, 1999, downloaded from [http://www.cdc.gov/nchstp/hiv\\_aids/pubs/faq/faq13.htm](http://www.cdc.gov/nchstp/hiv_aids/pubs/faq/faq13.htm)).
115. Centers for Disease Control and Prevention, "Recommendations for Prevention and Control of Hepatitis C Virus (HCV) Infection and HCV-Related Chronic Disease" in "Recommendations and Reports," *Morbidity and Mortality Weekly Report*, October 16, 1998 (No. RR-19), p. 1.
116. Centers for Disease Control and Prevention, "Hepatitis C Fact Sheet" (downloaded December 1998 from <http://www.cdc.gov/ncidod/diseases/hepatitis/c/fact.htm>).
117. Centers for Disease Control and Prevention, "Genital Herpes" (October 1997, downloaded from [http://www.cdc.gov/nchstp/dstd/Genital\\_Herpes\\_facts.htm](http://www.cdc.gov/nchstp/dstd/Genital_Herpes_facts.htm))

#### **SCHOOL**

118. 105 ILCS 5/26-1.
119. 105 ILCS 5/24-24.
120. 105 ILCS 5/10-22.6(e).

#### **EMPLOYMENT**

121. 820 ILCS 205/1.
122. Title 29 U.S. Code, sec. 212 and subsec. 203(l); 29 Code of Federal Regulations secs. 570.51 to 570.68.
123. 820 ILCS 205/9 to 205/12.
124. 820 ILCS 205/1.
125. 820 ILCS 205/2, second paragraph.
126. 820 ILCS 205/1.

#### **MARRIAGE**

127. 750 ILCS 5/203.
128. 750 ILCS 5/208.

#### **PARENTAL RESPONSIBILITIES**

129. 750 ILCS 16/15(a), added by P.A. 91-613 (1999).
130. 750 ILCS 45/3.
131. 750 ILCS 45/3.1.
132. 705 ILCS 405/2-27.
133. 740 ILCS 115/1 ff.

**MISCELLANEOUS LICENSES**

- 134. 625 ILCS 45/5-18, first paragraph.
- 135. 625 ILCS 45/1-2.
- 136. 625 ILCS 45/5-18, first and fourth paragraphs.
- 137. 625 ILCS 45/7-10.
- 138. 430 ILCS 65/4.
- 139. 430 ILCS 65/3.1.
- 140. 720 ILCS 5/24-3(a) and 5/24-3.1.
- 141. 515 ILCS 5/20-5(a).
- 142. 515 ILCS 5/20-45.
- 143. 520 ILCS 5/3.1 and 5/3.2.
- 144. 625 ILCS 40/5-3.



**L A W S**  

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